

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION CHICAGO**

In Re:

Case No. 20-10123

Lucas Martino
Meghan Martino

Chapter 7

Debtors.

Hon. Judge LaShonda A. Hunt

**NOTICE OF MOTION OF GLOBAL LENDING SERVICES LLC TO MODIFY
AUTOMATIC STAY**

VIA ELECTRONIC NOTICE:

David M. Siegel, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090

Zane Zielinski, 6336 North Cicero, Suite 201, Chicago, IL 60646

VIA U.S. MAIL:

Lucas Martino, 25133 Colligan St, Manhattan, IL 60442

Meghan Martino, 25133 Colligan St, Manhattan, IL 60442

PLEASE TAKE NOTICE that on June 1, 2020, we have electronically sent for filing with the Clerk of the U.S. Bankruptcy Court, a Motion of Global Lending Services LLC to Modify Automatic Stay, a copy of which is hereto attached.

Please take notice that on June 18, 2020 at 11:00 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable LaShonda A. Hunt, or any judge sitting in that judge's place, and present the attached ***Motion of Global Lending Services LLC to Modify Automatic Stay***, which has been electronically filed this date with the Clerk of the U.S. Bankruptcy Court for the Northern District of Illinois, a copy of which is hereby attached and served upon you by electronic notice or U.S. Mail.

This motion will be presented and heard telephonically. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must set up and use an account with Court Solutions, LLC. You can set up an account at www.Court-Solutions.com or by calling Court Solutions at (917) 746-7476.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion without a hearing.

Dated: June 1, 2020

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)

Sottile & Barile, Attorneys at Law

394 Wards Corner Road, Suite 180

Loveland, OH 45140

Phone: 513.444.4100

Email: bankruptcy@sottileandbarile.com

Attorney for Movant

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached Motion upon the above-named parties by electronic filing or, as noted above, by placing same in a properly addressed and sealed envelope, postage prepaid, and depositing it in the United States Mail at 394 Wards Corner Rd., Suite 180, Loveland, OH 45140 on June 1, 2020, before the hour of 5:00 p.m.

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)

Attorney for Movant

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MOTION OF GLOBAL LENDING SERVICES LLC TO MODIFY AUTOMATIC STAY

Global Lending Services LLC (hereinafter, “Movant”), a secured creditor herein, by its attorneys, the law firm of Sottile & Barile, LLC, respectfully requests this Court, pursuant to Section 362 of the Bankruptcy Code, and such other Sections and Rules as may apply, to enter an Order modifying the automatic stay to allow Movant to retain possession of its secured collateral. In support thereof, Movant states as follows:

1. On April 29, 2020, Lucas Martino and Meghan Martino (“Debtor”) filed a Voluntary Petition for Relief under Chapter 7 of the Bankruptcy Code.
2. Movant is a creditor of the Debtor with respect to a certain indebtedness secured by a lien upon a 2015 CHEVROLET TRAX motor vehicle bearing a Vehicle Identification Number (“VIN”) of KL7CJKSB0FB208233 (the “Vehicle”). (Ex. “A”).
3. As set forth in the Retail Installment Contract (the “Contract”) attached as part of Exhibit “A”, Debtors were required to tender monthly payments to Movant, each in the sum of \$338.79 with an interest rate of 17.45%. (Ex. “A”).
4. Debtors have failed to make required payments to Movant due on and after December 5, 2019, resulting in a default and a total outstanding balance due to Movant from Debtors

- in the sum of \$14,603.67. Debtors' Chapter 7 Statement of Intent states that the Debtors intend to retain the property and enter into a Reaffirmation Agreement.
5. As such, Movant seeks relief from the automatic stay so that it may take possession of and sell the Vehicle and apply the proceeds from such sale to the balance due from Debtors.
 6. Debtors have not offered, and Movant is not receiving, adequate protection for its secured interest or depreciating value.
 7. Debtors have no equity in the Vehicle. The value of the vehicle per NADA is \$8,445.00. Movant will suffer irreparable injury, harm and damage should it be delayed in taking possession of the Vehicle and asserting its security interest therein.
 8. Movant requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this Motion

WHEREFORE, Movant respectfully requests that this Court enter an Order, as attached hereto, modifying the automatic stay provided by Section 362 of the Bankruptcy Code to permit Movant to take immediate possession of and assert its security interest in the 2015 CHEVROLET TRAX motor vehicle bearing a Vehicle Identification Number ("VIN") of KL7CJKSB0FB208233; waiving the 14-day stay provided for in Bankruptcy Rule 4001(a)(3); and, for such other, further and different relief as this Court deems just and proper.

Dated: June 1, 2020

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)
Sottile & Barile, Attorneys at Law
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Attorney for Movant